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Rules, Regulations, Orders

TITLE 7—AGRICULTURE

CHAPTER III—BUREAU OF ENTOMOLOGY AND PLANT QUARANTINE

[B.E.P.Q. 512 revised]

PART 301—DOMESTIC QUARANTINE NOTICES MEXICAN FRUITFLY REGULATIONS MODIFIED

APRIL 2, 1941.

Introductory note. Circular B.E.P.Q. 512,¹ dated December 30, 1940, extended the harvesting season for Valencia oranges from April 30 to the close of May, for the year 1941, for the Texas counties of Brooks, Cameron, Hidalgo, and Willacy, provided conditions of infestation did not necessitate an earlier closing. This revision of the above circular extends the season on grapefruit also to May 31, 1941, for the above-named counties under the same provision as to conditions of infestation.

§ 301.64-5c *Administrative instructions modifying the restrictions of the Mexican fruitfly quarantine by extending the harvesting season on Valencia oranges and grapefruit from April 30 to May 31, 1941.* Pursuant to the authority conferred upon the Chief of the Bureau of Entomology and Plant Quarantine by the third proviso of 7 CFR 301.64, [Notice of Quarantine No. 64], it having been determined by me that a modification may be safely made without increasing the risk of spread of the Mexican fruitfly, § 301.64-5 (a) [subsection (a) of regulation 5 supplemental to this quarantine] is hereby modified to extend the harvesting season for Valencia oranges and grapefruit for the Texas Counties of Brooks, Willacy, Cameron, and Hidalgo to the close of May 31 for the year 1941, provided conditions of infestation do not necessitate an earlier closing date.

The host-free period for Valencia oranges and grapefruit, under this modification, will begin June 1 and continue through August 31, 1941, inclusive, in the above-named counties.

¹ 6 F.R. 120.

In the counties of Dimmit, La Salle, and Webb, the grapefruit harvesting season closed on February 28, 1941, under the regulations, and the orange harvesting season closes on April 30 as to these three counties and the portion of Jim Wells County which is under regulation. No modification is made as to the harvesting seasons in these counties.

[SEAL] AVERY S. HOYT,
Acting Chief.

[F. R. Doc. 41-2457; Filed, April 3, 1941;
11:35 a. m.]

TITLE 25—INDIANS

CHAPTER I—OFFICE OF INDIAN AFFAIRS

PART 130—ORDER FIXING OPERATION AND MAINTENANCE CHARGES

UINTAH INDIAN IRRIGATION PROJECT, UTAH MARCH 25, 1941.

Section 130.77 of the Order as amended by the Assistant Secretary of the Interior on August 22, 1940 (5 F.R. 3392), is further amended to read as follows, and §§ 130.77a and 130.77b have been added:

§ 130.77 *Basic water charges.* In compliance with the provisions of the Act of June 21, 1906 (34 Stat. 375), the annual basic water charges against the lands to which water can be delivered for irrigation under the following units of the Uintah Indian Irrigation Project, Utah, where not otherwise established by contract, are hereby fixed as follows, with the exception of small tracts of land containing 15 acres or less in noncontiguous ownership which are covered in § 130.77a:

	Assessment per acre susceptible of irrigation
Uintah River Unit, comprising Bench No. 1, Henry Jim and Uintah ditches.....	\$0.80
Individual Indian Unit on Uintah River, comprising Harmes, Individual Indian, A. B. C and D, Daniels and Tabby White ditches.....	.50
Duchesne River Unit, comprising Grey Mountain, Jasper Pike, Leland, Myton Townsite, Ouray School, and Pahcease and Wissiup ditches.....	.80

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	Assessment per acre susceptible of irrigation
Lakefork River Unit, comprising Lakefork, Red Cap and Dry Gulch ditches.	\$0.80
Deep Creek Unit, diverting from White-rocks and Uintah Rivers, comprising Deep Creek ditch.	1.00
Whiterocks Unit, comprising Farm Creek and Whiterocks ditches.	.85
White River Unit, comprising all lands to which water can be served for irrigation within the White River allotments and the Ute Extension area in the vicinity of Hill and Willow Creeks.	0.75

*§§ 130.77 to 130.77b, inclusive, issued under the authority contained in 34 Stat. 375, 45 Stat. 210; 25 U.S.C. 387.

§ 130.77a *Charges for small tracts.* For small subdivisions within the boundaries of a 40-acre legal subdivision the annual charges shall be as follows: (a) For all tracts having an area of 2 acres or less the annual charge shall be \$3 per

tract regardless of the acreage; (b) For all tracts having an area over 2 acres up to 5 acres the annual per acre charge shall be two times the annual basic water charge for that unit; (c) For all tracts having an area over 5 acres up to 10 acres the annual per acre charge shall be one and one-half times the annual basic water charge for that unit, and (d) For all tracts having an area over 10 acres up to 15 acres the annual per acre charge shall be one and one-fourth times the annual basic water charge for that unit. For each small tract of land requiring individual delivery of water an additional service charge of \$1 per year shall be made.*

§ 130.77b *Charges for Additional Delivery Points.* Except as provided for in Section 130.77a the charges provided in this part are on the basis of one delivery point for each tract of land in contiguous ownership. For each additional delivery point on any tract of land in contiguous ownership, now existing thereon or which may be installed in the future, a service charge of 10 cents per acre shall be assessed annually against each acre of such tract.*

OSCAR L. CHAPMAN,
Assistant Secretary.

[F. R. Doc. 41-2451; Filed, April 3, 1941; 10:13 a. m.]

TITLE 32—NATIONAL DEFENSE CHAPTER IX—OFFICE OF PRODUCTION MANAGEMENT

SUBCHAPTER B—PRIORITIES DIVISION

[No. M-2—Extension No. 1]

GENERAL PREFERENCE ORDER TO DIRECT THE DISTRIBUTION OF MAGNESIUM

The following order is issued by the Director of Priorities in the interest of the National Defense and pursuant to the authority vested in him by the Office of Production Management Regulation No. 3, dated March 7, 1941, Executive Order No. 8629, dated January 7, 1941, and section 2 (a) of the Act of June 28, 1940 (Public No. 671, 76th Congress, Third Session):

The General Preference Order No. M-2,¹ dated March 24, 1941, and expiring by its terms on June 30, 1941, issued to conserve the supply and direct the distribution of Magnesium, shall be and the same is hereby extended to September 30, 1941.

This Order supersedes and revokes all previous orders and directions of the Director of Priorities or the Priorities Division of the Office of Production Management and may be modified or revoked at any time.

E. R. STETTINIUS, Jr.,
Director of Priorities.

[F. R. Doc. 41-2443; Filed, April 3, 1941; 9:32 a. m.]

* 6 F.R. 1626.

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

CHAPTER II—CORPS OF ENGINEERS, WAR DEPARTMENT

PART 203—BRIDGE REGULATIONS¹

§ 203.351 *Nansemond River, Western Branch; highway bridge at Reids Ferry, Va.* (a) The owner of, or agency controlling, the bridge will not be required to keep a draw tender in constant attendance at the above-named bridge.

(b) Whenever a vessel, unable to pass under the closed bridge, desires to pass through the draw, at least 8 hours advance notice of the time the opening is required shall be given to the authorized representative of, or agency controlling, the bridge.

(c) Upon receipt of such notice, the authorized representative of, or agency controlling, the bridge, in compliance therewith, shall arrange for the prompt opening of the draw at the time specified in the notice for the passage of the vessel.

(d) The owner of, or agency controlling, the bridge shall keep conspicuously posted on both the upstream and downstream sides of the bridge, in such manner that it can easily be read at any time, a copy of these regulations together with a notice stating exactly how the representative specified in paragraph (b) may be reached.

(e) The operating machinery of the draw shall be maintained in a serviceable condition, and the draw opened and closed frequent enough to make certain that the machinery is in proper order for satisfactory operation. (Sec. 5 River and Harbor Act, Aug. 18, 1894; 28 Stat. 362; 33 U.S.C. 499) [Regs. Mar. 15, 1941 (E.D. 6371 (Virginia-Nansemond R.)—4/4)]

[SEAL]

E. S. ADAMS,
Major General,
The Adjutant General.

[F. R. Doc. 41-2448; Filed, April 3, 1941; 10:11 a. m.]

PART 203—BRIDGE REGULATIONS²

§ 203.786 *Lake Washington, Wash.; pontoon bridge between Seattle and Mercer Island, Wash.* (a) The owners of or agencies controlling the drawbridge shall provide the appliances and personnel necessary for the safe, prompt and efficient operation of the draw.

(b) *Signals*—(1) *Call signals for opening of draw*—(i) *Sound signal.* One long blast followed by one short blast of whistle, horn, or megaphone, sounded within a reasonable distance of the bridge.

As used in the regulations in this part long blast shall mean a blast of four seconds duration, short blast shall mean one of one second duration.

¹ § 203.351 is added.

² § 203.786 is added.

(ii) *Visual signal.* To be used in conjunction with sound signals when conditions prevent sound signals being heard.

A white flag by day, a white light by night, swung in full vertical circles at arm's length in full sight of the bridge and facing the draw.

(2) *Acknowledging signals.*—(i) *By bridge operator.*—(a) *Sound signals.* Draw to be opened immediately: Same as call signal.

Draw cannot be opened immediately, or, if open, must be closed immediately: Four or more short blasts of a whistle, horn or megaphone or four or more loud and distinct strokes of a bell, to be repeated at regular intervals until acknowledged by the vessel.

(b) *Visual signals.* To be used in conjunction with sound signals when conditions prevent sound signals being heard.

Draw to be opened immediately: A white flag by day, a white light by night swung up and down vertically a number of times in full sight of the vessel.

Draw cannot be opened immediately: A red flag by day, a red light by night swung in full vertical circles at arm's length facing the vessel.

(i) *By the vessel.* Vessels or other water craft having signaled for opening of the draw and having received a signal that the draw cannot be opened immediately, shall acknowledge said signal by four or more short blasts or by swinging in full vertical circles at arm's length a red flag by day or a red light by night.

(c) Automobiles, trucks, or other vehicles shall not be stopped on the draw of the bridge, except in cases of urgent necessity, nor shall vessels or other water craft be manipulated in a manner hindering or delaying the operation of the draw. All passage over the draw or through the draw opening shall be prompt, in order to prevent delay to either land or water traffic.

(d) All vessels, craft, or rafts, not self-propelled, navigating Lake Washington, for which the opening of the bridge may be necessary, shall, while passing the bridge, be towed by a suitable self-propelled boat.

(e) Upon the signal prescribed above being given, the draw shall be opened promptly for the passage of any vessel, or vessels, or other water craft not able to pass through the openings under the fixed spans of the pontoon bridge near each shore, or under the spans of the fixed bridge on the east side of Mercer Island.

(1) *Provided*, That the bridge will not be required to open on any day of the week between the hours of 7:00 a. m. and 9:00 a. m. and 4:45 p. m. and 6:30 p. m. for any vessel or other water craft of less than 2,000 gross tons, unless such vessel has in tow a vessel of 2,000 gross tons or over, or a pile-driver that is unable to pass under the fixed spans, and

(2) *Provided further*, That the bridge need not be opened at any time for the passage of any vessel of less than 300 gross tons equipped with a movable stack

or mast which can readily be lowered so as to permit its passage under the fixed spans, unless it has in tow a vessel which is unable to pass under the fixed spans. Any vessel of less than 300 gross tons regularly navigating the lake shall be subject to inspection and measurement by the District Engineer, United States Engineer Department at Large, in charge of the locality, and said District Engineer is hereby empowered to decide in each case whether or not the vessel shall be equipped with hinged or movable stacks, masts and flagpoles which can be lowered to enable the vessel to pass under the fixed spans. If the District Engineer decides that such action should be taken, he shall notify the vessel owner and the bridge owner of his decision, specifying a reasonable time for making the alterations; and after the expiration of the time specified, the draw need not be opened for the passage of such vessel unless it has in tow a vessel unable to pass under the fixed spans; and

(3) *Provided further*, That the bridge will not be required to be opened at any time for any craft towing logs or scows, after the owners of the bridge shall have provided fenders, approved by the War Department, at the openings under the approach span of the pontoon bridge, adjacent to Mercer Island, and under the main span of the fixed bridge between Mercer Island and the mainland east of Lake Washington, unless such craft cannot pass under those spans; and

(4) *Provided further*, That when the draw shall have been opened for ten minutes, or for such shorter period as may have been necessary for the passage of vessels, or other water craft, desiring to pass, it shall be closed for the crossing of vehicles or individuals, if any be waiting to cross, and after being so closed for ten minutes, or for such shorter time as may be necessary for the said vehicles or individuals to cross, it shall again be opened promptly for the passage of vessels or other water craft, if there be any such desiring, and authorized herein, to pass at such time; and

(5) *Provided further*, That, at night, between the hours of 9:00 p. m. and 5:00 a. m., the draw shall be opened for the passage of all vessels that cannot pass under the fixed spans upon notice given by telephone or other wise to the bridge operator at least 30 minutes in advance of the time that the vessel desires to pass through the draw.

(f) The regulations in this part, other than the giving of the prescribed signals, shall not apply to vessels owned, operated, or leased by the United States. Such vessels shall be passed without delay through the draw upon giving the prescribed signal, except that notice provided in paragraph (e) for the period between 9 p. m. and 5 a. m. shall be given.

(g) The owner of, or agency controlling, the bridge shall keep conspicuously posted on both the upstream and downstream sides of the bridge, in such a manner that it can be easily read at any time, a copy of the regulations in this

part, together with a notice stating exactly how the bridge operator specified in paragraph (e) may be reached. (Sec. 5, River and Harbor Act, Aug. 18, 1894; 28 Stat. 362; 33 U.S.C. 499) [Regs. Mar. 20, 1941 (E.D. 6371 (Washington—Washington Lake—Seattle—Mercer Island)—12/5)]

[SEAL]

E. S. ADAMS,
Major General,
The Adjutant General.

[F. R. Doc. 41-2449; Filed, April 3, 1941; 10:12 a. m.]

TITLE 36—PARKS AND FORESTS

CHAPTER II—FOREST SERVICE

PART 231—GRAZING

MODIFICATION OF REGULATION G-3

By virtue of the authority vested in the Secretary of Agriculture by the Act of June 4, 1897 (30 Stat. 35, 16 U.S.C. 551), and the Act of February 1, 1905 (33 Stat. 628, 16 U.S.C. 472), Regulation G-3 of the rules and regulations governing the occupancy, use, protection, and administration of the national forests, which constitutes 36 CFR 231-3,¹ is amended by modifying paragraph (d) to read as follows:

§ 231.3 Applications and permits.

(d) The issuance of private-land grazing permits, free of charge, to persons who own or control usable lands, located either inside or outside a national forest, and who agree that the United States shall have exclusive possession of such lands, in exchange for grazing privileges for the number of livestock which such lands will support, either upon such lands or upon other lands in the possession of the United States or upon national forest lands, except that no such permit may be issued where the exchange will be disadvantageous to the Government.

In testimony whereof, I have hereunto set my hand and caused the official seal of the Department of Agriculture to be affixed, in the City of Washington, this 3d day of April 1941.

[SEAL]

CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 41-2456; Filed, April 3, 1941; 11:35 a. m.]

TITLE 47—TELECOMMUNICATION

CHAPTER I—FEDERAL COMMUNICATIONS COMMISSION

PART 1—RULES OF PRACTICE AND PROCEDURE

The Commission on April 1, 1941, amended § 1.1, effective March 31, 1941, to read as follows:

§ 1.1 *Offices; hours.* The principal office of the Commission shall be located at Washington, D. C., and all com-

munications to it shall be addressed to the Secretary, Washington, D. C., unless otherwise specifically directed. The hours of the Commission are from 9:15 a. m. to 4:45 p. m., Monday to Friday, inclusive, and on Saturday from 9:15 a. m. to 1:15 p. m., except on legal holidays. (Sec. 4 (i), 48 Stat. 1068; 47 U.S.C. 154 (i))

The Commission on April 1, 1941, effective immediately, amended the second paragraph of § 1.73 to read as follows:

§ 1.73 Amendments and dismissals; when allowed.

When leave to amend has been granted after an application has been designated for hearing, the application will not be removed from the hearing docket unless the Motions Commissioner shall determine that the proposed amendment substantially affects the issues upon which the application has been designated for hearing and orders that the application shall be removed from the hearing docket. An amended application which has been removed from the hearing docket will be reexamined by the Commission and when necessary will be redesignated for hearing at a subsequent time. (Sec. 4 (i), 48 Stat. 1068; 47 U.S.C. 154 (i))

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 41-2459; Filed, April 3, 1941;
11:51 a. m.]

Notices

WAR DEPARTMENT.

SUMMARY OF SUPPLEMENTAL CONTRACT B¹ FOR CONSTRUCTION²

CONTRACTOR: J. A. JONES CONSTRUCTION COMPANY, INC., 209 WEST 4TH STREET, CHARLOTTE, NORTH CAROLINA

Estimated cost: Original, \$9,518,663.00; supplemental, \$1,395,146.00; total, \$10,913,809.00.

Fixed fee: Original, \$242,137.00; supplemental, \$28,057.00; total, \$270,194.00.

Supplemental contract for: Additions and deductions to the tent camp, the addition of National Guard, Regular Army increase, and Reception Center.

The supplies and services to be obtained by this instrument are authorized by, are for the purpose set forth in, and are chargeable to, Procurement Authority No. QM 8106 P1-3211 A 0540.068-N the available balance of which is sufficient to cover the cost of same.

This supplemental contract, entered into this 17th day of January 1941.

¹ Supplementary to cost-plus-a-fixed-fee contract No. W 6133 qm-2, dated September 10, 1940 (published in the FEDERAL REGISTER, March 21, 1941).

² Approved by the Under Secretary of War, March 20, 1941.

Whereas there is now in full force and effect between the parties hereto a certain contract which provides for the construction of a complete tent camp, including necessary buildings, temporary structures, utilities and appurtenances thereto at Camp Shelby, Hattiesburg, Mississippi bearing date of September 10, 1940, and being identified as Contract No. W 6133 qm-2, (hereinafter referred to as the "principal contract").

Now therefore the parties do hereby mutually agree that the said principal contract above described shall be and the same is hereby modified in the following manner: Construction in connection with additions and deductions to the tent camp, the addition of National Guard, Regular Army increase, and Reception Center.

Delete Paragraph 2, Section 1, Article I of the principal contract relating to the estimated cost and completion time, and insert in lieu thereof the following paragraph:

It is estimated that the total cost of the construction work covered by the contract will be approximately ten million, nine hundred thirteen thousand, eight hundred nine and no/100 (\$10,913,809.00) dollars, exclusive of the contractor's fee.

Delete subdivision (c), Paragraph 3, Section 1, Article I, of the principal contract relating to the fixed-fee and insert in lieu thereof the following paragraph:

(c) A fixed-fee in the amount of two hundred seventy thousand, one hundred ninety-four and no/100 (\$270,194.00) dollars, which shall constitute complete compensation for the Contractor's services, including profit and all general overhead expenses.

The principal contract, except as modified and supplemented by this supplemental contract, shall be and remain in full force and effect.

This supplemental contract is authorized by Public, No. 703, 76th Congress, Approved July 2, 1940.

FRANK W. BULLOCK,
Major, Signal Corps,
Assistant to the Director of
Purchases and Contracts.

[F. R. Doc. 41-2446; Filed, April 3, 1941;
10:09 a. m.]

SUMMARY OF SUPPLEMENTAL CONTRACT A¹ FOR ARCHITECTURAL ENGINEERING SERVICES²

CONTRACTOR: LOCKWOOD GREENE ENGINEERS, INC., 10 ROCKEFELLER PLAZA, NEW YORK, N. Y.

Estimated cost: Original, \$9,760,800.00; Supplemental, \$1,423,203.00; Total: \$11,184,003.00.

¹ Supplementary to cost-plus-a-fixed-fee contract No. W 6133 qm-1, dated September 9, 1940 (published in the FEDERAL REGISTER, March 21, 1941).

² Approved by the Under Secretary of War, March 18, 1941.

Fixed fee: Original, \$43,554.00; Supplemental, \$8,650.00; Total: \$52,204.00.

Supplemental contract for: Architectural-engineering services in connection with additions and deductions to the tent camp, the addition of National Guard, Regular Army Increase, and Reception Center.

The supplies and services to be obtained by this instrument are authorized by, are for the purpose set forth in, and are chargeable to, Procurement Authority No. QM 8227 P1-3211 A 0540.068-N the available balance of which is sufficient to cover the cost of same.

This supplemental contract, entered into this 21st day of January 1941.

Whereas, there is now in full force and effect between the parties hereto a certain contract which provides for the furnishing of architectural-engineering services for the construction of a complete tent camp at Camp Shelby, Hattiesburg, Mississippi bearing date of September 9, 1940, and being identified as Contract No. W 6133 qm-1, (hereinafter referred to as the "principal contract").

Now therefore, the parties do hereby mutually agree that the said principal contract above described shall be and the same is hereby modified in the following manner: architectural-engineering services in connection with additions and deductions to the tent camp, the addition of National Guard, Regular Army Increase, and Reception Center.

Delete the last four lines of Paragraph 1 of Article I of the principal contract relating to the estimated cost of the construction project and the completion time thereof, and insert in lieu thereof, the following: "and estimated to cost \$11,184,003.00."

Delete Sub-paragraph "a" of Section 1 of Article VI of the principal contract relating to the fixed fee and insert in lieu thereof, the following:

a. A fixed fee in the amount of fifty-two thousand two hundred four and no/100 dollars (\$52,204.00) which shall constitute complete compensation for the Architect-Engineer's services.

The principal contract, except as modified and supplemented by this Supplemental Contract, shall be and remain in full force and effect.

This supplemental contract is authorized by Public No. 703, 76th Congress, Approved July 2, 1940.

FRANK W. BULLOCK,
Major, Signal Corps,
Assistant to the Director of
Purchases and Contracts.

[F. R. Doc. 41-2447; Filed, April 3, 1941;
10:10 a. m.]

[Contract No. W 852 ord-7497]

SUMMARY OF CONTRACT FOR SUPPLIES

CONTRACTOR: AUTO-ORDNANCE CORPORATION

Contract for: Thompson Sub-Machine Guns, Caliber * * * Magazines, and Spare Parts.

Amount: \$2,576,123.27.

Place: Springfield Armory, Springfield, Massachusetts.

The supplies and services to be obtained by this instrument are authorized by, are for the purpose set forth in, and are chargeable to the following Procurement Authorities, the available balances of which are sufficient to cover cost of same:

Ord-8403-P2-3030-A1005-01.

Ord-7306-P11-3030-A1005-01.

Ord - 7308 - P94 - 1370 - A5910.004-1
2115910.004 Working Fund War Ord-
nance 1941.

Ord-7214-P11-3030-A1005-01.

This contract, entered into this 7th day of February 1941.

Scope of this contract. The contractor shall furnish and deliver Thompson Sub-Machine Guns, Caliber * * * Magazines and spare parts. Total two million five hundred seventy-six thousand one hundred twenty-three and 27/100 dollars (\$2,576,123.27), in strict accordance with the specifications, schedules and drawings, all of which are made a part hereof.

Changes. Where the supplies to be furnished are to be specially manufactured in accordance with drawings and specifications, the contracting officer may at any time, by a written order, and without notice to the sureties, make changes in the drawings or specifications, except Federal Specifications. Changes as to shipment and packing of all supplies may also be made as above provided.

Delays—Damages. If the contractor refuses or fails to make deliveries of the materials or supplies within the time specified in Article 1, or any extension thereof, the Government may by written notice terminate the right of the contractor to proceed with deliveries or such part or parts thereof as to which there has been delay.

Payments. The contractor shall be paid, upon the submission of properly certified invoices or vouchers, the prices stipulated herein for articles delivered and accepted or services rendered, less deductions, if any, as herein provided. Unless otherwise specified, payments will be made on partial deliveries accepted by the Government when the amount due on such deliveries so warrants; or, when requested by the contractor, payments for accepted partial deliveries shall be made whenever such payments would equal or exceed either \$1,000 or 50 percent of the total amount of the contract.

FRANK W. BULLOCK,
Major, Signal Corps,
Assistant to the Director of
Purchases and Contracts.

[F. R. Doc. 41-2445; Filed, April 3, 1941;
10:09 a. m.]

NAVY DEPARTMENT.

[NOD-1685]

SUMMARY OF CONTRACT FOR REIMBURSEMENT OF EXPENDITURES

CONTRACTOR: MOORE DRY DOCK COMPANY,
OAKLAND, CALIFORNIA

MARCH 28, 1941.

Under date of December 14, 1940, Defense Plant Corporation entered into an agreement with Moore Dry Dock Company for the sublease of a site held by Defense Plant Corporation under a lease from Western Pacific Railroad Company and for the acquisition, construction, and installation of additional plant facilities at a maximum cost of \$4,000,000.

Title to the facilities is to be in Defense Plant Corporation, and it agrees to lease the plant and equipment and to sublease the site for a period ending June 1, 1945 at an annual rental of \$1.00, with an automatic five (5) year extension, subject to an option in Moore to purchase the plant and equipment and to assume Defense Plant Corporation's lease of the site.

The lease contains provisions for termination by either party when the use of the plant, equipment and site are no longer needed to enable Moore to construct naval vessels for the Government, and further provides for cancellation by the Government upon certain expressed conditions.

By letter dated January 6, 1941, the Navy Department has agreed to reimburse Defense Plant Corporation for two-fifth (2/5) of its expenditures, not to exceed \$1,600,000, and for the balance of such expenditures in the event Congress shall hereafter authorize such reimbursement. When Defense Plant Corporation has been reimbursed in full with interest, it will, to the extent it is permitted in its lease with Western Pacific Railroad Company, transfer its leasehold interest in the site and title to the facilities, machinery, and equipment to the United States Government, subject to Moore's option, if then existing. After the option has been exercised, this Department shall be entitled to receive any excess over the difference between the amount expended by Defense Plant Corporation, with interest, under the agreements with Western Pacific Railroad Company and the lessee and the amount paid to Defense Plant Corporation.

S. M. ROBINSON,
Chief of Bureau.

[F. R. Doc. 41-2442; Filed, April 2, 1941;
2:45 p. m.]

DEPARTMENT OF AGRICULTURE.

Farm Security Administration.

DESIGNATION OF LOCALITIES IN WHICH LOANS MAY BE MADE

In accordance with the rules and regulations promulgated by the Secretary of Agriculture on July 23, 1940, loans made in De Soto Parish, Louisiana, under Title I of the Bankhead-Jones Farm Tenant Act, may be made within the localities herein described and designated. The value of the average farm unit of thirty acres and more in each of these localities has been determined in accordance with provisions of those rules and regulations. There follow a description of the localities and the determination of value for each of those localities:

Locality I:	Value
Ward Numbers 1, 3, 4, 7, and 8.....	\$1,457
Locality II:	
Ward Number 2.....	1,861
Locality III:	
Ward Number 6.....	1,728
Locality IV:	
Ward Number 5.....	2,277

Approved: March 31, 1941.

[SEAL]

C. B. BALDWIN,
Administrator.

[F. R. Doc. 41-2455; Filed, April 3, 1941;
11:35 a. m.]

[Administration Letter 395—Classification
002]

DELEGATIONS OF AUTHORITY TO THE DIRECTOR OF THE RP DIVISION

MARCH 11, 1941.

I. In connection with approved projects and in accordance with approved project plans, authority is hereby delegated to the Director of the RP Division, without authority to redelegate except as hereinafter specified, to:

A. Issue temporary licenses, pending the granting of formal easements, to permit utility installations on FSA property.

B. Approve the terms and conditions of contracts and agreements on behalf of the FSA and the Government for utility services for the use of project occupants.

C. Approve memoranda of understanding on behalf of the FSA with other bureaus of the U. S. Department of Agriculture and other Governmental departments or establishments, granting permission to certain officials to enter upon FSA property for specified purposes.

D. Approve the terms and conditions for leases of project property by the Government to cooperative associations and of subleases by such associations, including work and occupancy agreements; and to execute such leases and subleases, subject to approval by the Solicitor for form

and legality and Chief Fiscal Officer for fiscal considerations, and perform all other acts to be done by the Government as provided in the lease or sublease, and to delegate to regional directors authority to execute such leases and subleases and to perform such acts.

E. Approve public vouchers for advances of loan funds to cooperative associations under loan agreements.

F. Approve changes in articles of incorporation and bylaws of cooperative associations subject to the approval by the Solicitor for form and legality and the Chief Fiscal Officer for fiscal considerations.

[SEAL]

C. B. BALDWIN,
Administrator.

[F. R. Doc. 41-2458; Filed, April 3, 1941;
11:35 a. m.]

DEPARTMENT OF COMMERCE.

Civil Aeronautics Authority.

[Docket Nos. 9-401-B-2, 465]

IN THE MATTER OF THE APPLICATIONS OF EASTERN AIR LINES, INC., TRANSCONTINENTAL & WESTERN AIR, INC., FOR CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY UNDER SECTION 401 OF THE CIVIL AERONAUTICS ACT OF 1938, AS AMENDED

NOTICE OF POSTPONEMENT OF HEARING¹

The above entitled proceeding, being the applications of Eastern Air Lines, Inc., and Transcontinental & Western Air, Inc., for certificates of public convenience and necessity authorizing air transportation between St. Louis, Mo., and Washington, D. C., via certain intermediate points, now assigned for public hearing on April 21, 1941, is postponed to, and assigned for public hearing on May 19, 1941, 10:00 a. m. (Eastern Standard Time), at the Carlton Hotel, 923 16th Street NW., Washington, D. C., before Examiner J. Francis Reilly.

Dated Washington, D. C., April 1, 1941.

[SEAL]

J. FRANCIS REILLY,
Examiner.

[F. R. Doc. 41-2444; Filed, April 3, 1941;
10:09 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 5915]

NOTICE RELATIVE TO CLIFTON A. TOLBOE, TR/AS CITIZENS VOICE AND AIR SHOW (ASSIGNOR) (KOVO) AND KOVO BROADCASTING CO. (ASSIGNEE)

Application dated March 27, 1940; for, voluntary assignment of license; class of service, broadcast; class of station, broadcast; location, Provo, Utah; present operating assignment: Frequency, 1,210

kc.; power, 250 w.; hours of operation unlimited.

You are hereby notified that the Commission has examined the above described application and has designated the matter for hearing for the following reasons:

1. To determine whether the licensee has transferred, assigned or disposed of rights granted him in the license for the operation of Station KOVO without the consent of the Commission as required by section 310 (b) of the Communications Act, as amended.

2. To determine whether the proposed assignee will be financially qualified to continue the operation of Station KOVO in the public interest.

3. To determine the qualifications of the proposed assignee, its officers, directors and stockholders to operate Station KOVO in the public interest.

4. To determine whether the proposed assignment would be consistent with the provisions of sections 301, 307 (b) (1), and 310 (b) of the Communications Act of 1934, as amended.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicants on the basis of a record duly and properly made by means of a formal hearing.

The applicants are hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicants who desire to be heard must file a petition to intervene in accordance with the provisions of Section 1.102 of the Commission's Rules of Practice and Procedure.

The applicants' addresses are as follows:

Clifton A. Tolboe, tr/as, Citizens Voice and Air Show, Radio Station KOVO, Farmers and Merchants Bank Building, Provo, Utah.

KOVO Broadcasting Company, 108 West Center Street, Provo, Utah.

Dated at Washington, D. C., April 1, 1941.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 41-2452; Filed April 3, 1941;
10:27 a. m.]

[Docket No. 6053]

IN THE MATTER OF RATES, CHARGES, CLASSIFICATIONS, REGULATIONS, AND PRACTICES OF THE LONG LINES DEPARTMENT OF THE AMERICAN TELEPHONE AND TELEGRAPH COMPANY

At a general session of the Federal Communications Commission held at its office in Washington, D. C., on the 1st day of April, 1941.

Whereas the American Telephone and Telegraph Company is a carrier engaged through its Long Lines Department, in the rendering of interstate telephone service subject to the jurisdiction of this Commission;

Whereas according to its own reports filed with the Commission for 1938, 1939, and 1940, as summarized in the following table, the Long Lines Department earned upon the reported book cost of its property less depreciation reserve, 6.39% in 1938, 8.19% in 1939 and 8.67% in 1940, and 8.89% for the twelve months ended January 31, 1941, without any adjustments whatsoever;

Whereas the recent gross and net earnings of the Long Lines Department have been increasing in amount, as is shown by the Company's own reports to this Commission covering the last quarter of 1940 and the month of January, 1941;

Whereas the Commission is of the opinion, on the basis of the above-stated earnings of the Long Lines Department, that an investigation into the reasonableness of the rates, charges, practices, classifications and regulations of the Long Lines Department of the American Telephone and Telegraph Company should be instituted and the Company should be directed to show cause why its rates for interstate telephone service should not be reduced;

It is, therefore, ordered, That an investigation upon this Commission's own motion be, and the same is hereby, instituted into the rates, charges, practices, classifications and regulations of the Long Lines Department of the American Telephone and Telegraph Company applicable to interstate communication service within the territory served by the above-mentioned company.

It is further ordered, That the American Telephone and Telegraph Company show cause why its rates for interstate telephone service should not be reduced.

It is further ordered, That the American Telephone and Telegraph Company be, and the same is hereby, made respondent, and that New England Telephone and Telegraph Company, New York Telephone Company, New Jersey Bell Telephone Company, The Bell Telephone Company of Pennsylvania, The Diamond State Telephone Company, The Chesapeake and Potomac Telephone Company, The Chesapeake and Potomac Telephone Company of Baltimore City, The Chesapeake and Potomac Telephone Company of Virginia, The Chesapeake and Potomac Telephone Company of West Virginia, Southern Bell Telephone and Telegraph Company, The Ohio Bell Telephone Company, Michigan Bell Telephone Company, Wisconsin Telephone Company, Illinois Bell Telephone Company, Northwestern Bell Telephone Company, Southwestern Bell Telephone Company, The Mountain States Telephone and Telegraph Company, The Pacific Telephone and Telegraph Company System, Cincinnati and Suburban Bell Telephone

¹ Issued by the Civil Aeronautics Board.

Company and The Southern New England Telephone Company, to the extent that they are concurring carriers with the Long Lines Department, are also made respondent, to this proceeding and served with a copy of this Order.

A copy of this Order shall be served upon the Governor of each of the States,

upon the Public Utility Commission of each State and of the District of Columbia, and upon the National Association of Railroad and Utilities Commissioners.
By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

TABLE 1.—American Telephone and Telegraph Company long lines department
Comparison of operating results for the calendar years 1938, 1939, and 1940 and the 12 months ended January 31, 1941

[On basis of data as reported by the company]

Particulars	1938	1939	1940	12 months ended Jan. 31, 1941
Average gross investment in telephone plant.....	\$434,865,483	\$438,704,840	\$442,707,083	\$443,540,072
Average depreciation and amortization reserves.....	119,441,973	127,890,969	136,716,707	137,452,096
Average net investment in telephone plant.....	315,423,510	310,813,871	305,990,376	306,087,976
Operating revenues.....	88,691,949	97,440,901	105,053,527	106,506,114
Operating expenses and taxes:				
Maintenance.....	18,277,257	19,772,719	20,387,581	20,368,933
Depreciation and amortization.....	16,598,859	16,801,580	17,014,859	17,075,725
Traffic.....	7,230,758	7,393,944	7,980,837	8,106,438
Commercial.....	1,802,576	1,852,729	2,050,689	2,078,155
Relief and pensions.....	1,137,254	1,179,406	1,446,786	1,471,080
Other operating expenses.....	14,221,171	14,550,712	15,593,498	15,688,394
Taxes:				
Federal income.....	3,376,700	4,689,060	7,803,951	8,212,951
Social security.....	1,019,691	1,028,476	945,457	946,220
Other.....	4,866,920	4,697,941	5,306,228	5,339,884
Total operating expenses and taxes.....	68,531,186	71,966,567	78,529,886	79,288,676
Net operating income.....	20,160,763	25,474,334	26,523,641	27,217,438
Ratio net operating income to average net investment in telephone plant (percent).....	6.39	8.19	8.67	8.89

[F. R. Doc. 41-2460; Filed, April 3, 1941; 11:51 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. IT-5580]

IN THE MATTER OF THE HARTFORD ELECTRIC LIGHT COMPANY

ORDER GRANTING REHEARING

APRIL 1, 1941.

Upon petition filed March 25, 1941, by the Respondent, alleging errors in the Commission's Opinion No. 58 and order requiring compliance with Order No. 42 and orders supplemental thereto, adopted February 25, 1941, in the above entitled proceeding, asking for a rehearing and stay of said order and for other action by the Commission;

The Commission orders that:

(A) The rehearing applied for is granted, to begin at 9:45 a. m., April 23, 1941, in the Commission's Hearing Room, Hurley-Wright Building, 1800 Pennsylvania Avenue, N. W., Washington, D. C., for the purpose of hearing oral argument, before the Commission sitting *en banc*, with respect to the aforesaid alleged errors;

(B) The beginning of the 90-day period fixed by said order of February 25, 1941, for compliance with requirements of Electric Plant Accounts Instruction 2-D of the Uniform System of Accounts and the Commission's Order of May 11,

1937, is hereby stayed pending the further order of the Commission.

By the Commission.

[SEAL]

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 41-2450; Filed, April 3, 1941; 10:12 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 812-78]

IN THE MATTER OF VICTORY CORPORATION

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 2nd day of April 1941.

Application having been duly filed by the above named applicant for an order of the Commission under and pursuant to the provisions of section 6 (c) of the Investment Company Act of 1940 exempting it from all of the provisions of this title.

It is ordered, That a hearing on the matter of this application be held on April 17, 1941, at 10:00 o'clock in the forenoon of that day in the Securities and Exchange Building, 1778 Pennsylvania Avenue NW., Washington, D. C. On such day the hearing room clerk in

Room 1102 will advise the interested parties where such hearing will be held.

It is further ordered, That Charles S. Moore or any officer or officers of the Commission designated by it for that purpose shall preside at such hearing on such application. The officer so designated to preside at any such hearing is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 of the Investment Company Act of 1940 and to trial examiners under the Commission's Rules of Practice.

Notice of such hearing is hereby given to the above named applicant and to any other person or persons whose participation in such proceedings may be in the public interest or for the protection of investors.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 41-2454; Filed, April 3, 1941; 11:29 a. m.]

[File No. 812-69]

IN THE MATTER OF CITY UNION CORPORATION

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 2nd day of April 1941.

Application having been duly filed by the above named applicant for an order of the Commission under and pursuant to the provisions of section 6 (c) of the Investment Company Act of 1940 exempting it from all of the provisions of this title.

It is ordered, That a hearing on the matter of this application be held on April 18, 1941 at 10:00 o'clock in the forenoon of that day in the Securities and Exchange Building, 1778 Pennsylvania Avenue NW., Washington, D. C. On such day the hearing room clerk in Room 1102 will advise the interested parties where such hearing will be held.

It is further ordered, That Charles S. Moore or any officer or officers of the Commission designated by it for that purpose shall preside at such hearing on such application. The officer so designated to preside at any such hearing is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 of the Investment Company Act of 1940 and to trial examiners under the Commission's Rules of Practice.

Notice of such hearing is hereby given to the above named applicant and to any other person or persons whose participation in such proceedings may be in the public interest or for the protection of investors.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 41-2453; Filed, April 3, 1941; 11:29 a. m.]

